



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**

REGION 4  
ATLANTA FEDERAL CENTER  
61 FORSYTH STREET  
ATLANTA, GEORGIA 30303-8960

October 8, 2010

Mr. Keith Melton  
Community Planner  
Federal Transit Administration, Region IV  
230 Peachtree Street, N.W., Suite 800  
Atlanta, Georgia 30303-1512

SUBJECT: Federal Draft Environmental Impact Statement for the LYNX Blue Line Extension Northeast Corridor Light Rail Project, Center City, Charlotte to Interstate 85, Mecklenburg County, North Carolina; FTA-E40834-NC; CEQ No.: 20100336

Dear Mr. Melton:


The U.S. Environmental Protection Agency (EPA) Region 4 Office has reviewed the subject document and is commenting in accordance with Section 309 of the Clean Air Act (CAA) and Section 102(2)(C) of the National Environmental Policy Act (NEPA). The Federal Transit Authority (FTA) and Charlotte Area Transit System (CATS) are proposing to construct an approximate 9-mile extension of the light rail system from Center City Charlotte to south of Interstate 485. The proposed light rail improvement would primarily utilize existing railroad right of way for the first 4 miles and then be located in the median of North Tryon Street/US-29 for a substantial portion of the remaining distance. There would be a new location segment as it enters the University of North Carolina at Charlotte (UNC-Charlotte) campus. Thirteen (13) stations are proposed with 7 of them being with park-and-ride facilities.

FTA and CATS evaluated several preliminary alternatives and have identified a locally preferred alternative (LPA), including the Light Rail Alternative – Sugar Creek Design Option that provides for an alignment shift with two different station locations. EPA has attached detailed technical review comments on the potential environmental impacts from the proposed project to this letter (See Attachment A).

EPA has rated the Draft Environmental Impact Statement (DEIS), Lack of Objections (LO-I), and has not identified any potential environmental impacts requiring substantive changes to the preferred alternative. Additionally, the DEIS adequately sets forth the environmental impacts of the preferred alternative and no further analysis or data collection is believed to be necessary. Overall, EPA supports the proposed project's purpose and need and the recommended avoidance and minimization measures and mitigation. EPA is requesting further details regarding potential noise mitigation

measures for an Environmental Justice community in the FEIS. If there are any questions concerning these comments, please contact Mr. Christopher A. Militscher of my staff at (919) 856-4206 or by e-mail at [militscher.chris@epa.gov](mailto:militscher.chris@epa.gov). Thank you for the opportunity to comment.

Sincerely,

A handwritten signature in black ink, appearing to read "H. Mueller", followed by a horizontal line.

Heinz J. Mueller, Chief  
NEPA Program Office

Cc: E. Hair, USACE-Asheville  
M. Hamel, NCDOT-Rail  
B. Wrenn, NCDWQ  
J. Dellert-O'Keef, CATS

**Attachment A**  
**DEIS for the LYNX Blue Line Extension Northeast Corridor Light Rail Project**  
**Center City, Charlotte to Interstate 85, Mecklenburg County, North Carolina;**  
**FTA-E40834-NC**  
**Technical Review Comments**

Wetland and Stream Impacts

The Light Rail Alternative (and Sugar Creek Option) impact approximately 1.52 acres of jurisdictional wetlands. The Light Rail Alternative (LRA) impacts approximately 3,260 linear feet of streams. The LRA-Sugar Creek Option impacts potentially 1,110 linear feet less than the LPA (2,150 linear feet). From a natural resource perspective, EPA prefers the LRA-Sugar Creek Option.

Other Natural Resource Impacts

The LRA-Sugar Creek Option potentially impacts approximately 18.4 acres of mixed pine/hardwood forests. Chapter 10 of the DEIS also identifies farmlands as a natural resource. There are no farmlands within the proposed corridor. As a point of clarification, farmlands are not natural resources and should have been discussed in the human resource section of the DEIS. EPA requests that this been clarified in the Final Environmental Impact Statement (FEIS).

Floodplains impacts are identified in Chapter 11 of the DEIS, and include 0.2 acres in the FEMA floodway, 0.87 acres in the Community Encroachment Area and 8.47 acres in Community Floodplains.

There are no anticipated impacts to protected species.

Air Quality Impacts

The proposed project is considered consistent with local and State plans. There is an anticipated long-term benefit to air quality in the metropolitan Charlotte area with a significant reduction forecasted for vehicle miles traveled (vmt) of approximately 55 million miles per year. Considering the non-attainment status (8-hour Ozone standard) for the Charlotte-Gastonia-Rock Hill area, the reduction of vehicle emissions from implementing the proposed light rail project is a potentially significant. The regional annual emissions reductions forecasted for the project are presented in Table 12-4 of the DEIS and include Carbon monoxide (CO), Nitrogen oxides (NO<sub>x</sub>), and Volatile Organic Compounds (VOCs).

Human Resource Impacts

Property acquisitions are described in Chapter 17 of the DEIS. The LRA-Sugar Creek Option includes 32 business and 1 residential relocations. There would also be additional partial property acquisition for roadway widening along North Tryon Street/US 29 and along other areas of the proposed rail corridor.

Noise and vibration impacts are identified in Chapter 13 of the DEIS. There are numerous entities, including 27 single family residence receptors that will receive moderate noise impacts from the proposed project (i.e., LPA-Sugar Creek Option). Additionally, 2 multi-family buildings at Mallard Creek Apartments will be severely impacts. Vibration impacts to one single family residence are avoided with the LPA-Sugar Creek Option. Also, no adverse or disproportionate impacts are expected to minority and low-income populations based upon the assessment described in Chapter 6.0 of the DEIS. However, Table 6-4, Summary of Potential Impacts on Neighborhoods identified the Hidden Valley neighborhood as having a potential noise impact. Under Table ES-2, Summary of Mitigation, Environmental Justice, it identifies that “*Noise mitigation for residential properties located within EJ communities of concern will be required*”. Mitigation for noise impacts to this neighborhood is being deferred to the final project design. The DEIS does not specifically identify or quantify the type or scope of the noise mitigation. This issues needs to be further detailed and discussed in the FEIS.

Minimal impacts are expected from the LPA-Sugar Creek Option to 3 existing or planned parks or greenways. Noise and visual impacts are expected to Kirk Farm Fields, and visual impacts to 2 proposed greenways (Toby Creek and Mallard Creek). There are no anticipated adverse impacts to historic or archaeological resources. There are a total of potentially 14 properties for hazardous material concerns on the proposed alignment and for the proposed park-and-ride facilities.